

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,**

Plaintiff,

and

**DHIELYA D. ROGERS and
LATASHA FELDER,**

Plaintiff-Intervenors

V.

**DUNCAN BURCH, INC., d/b/a
MICHAEL'S INTERNATIONAL and
BURCH MANAGEMENT CO., INC.**

Defendants.

[illegible]

C.A. NO. 4:11-cv-02453

JURY TRIAL

AGREED MOTION TO ENTER CONSENT DECREE

TO THE HONORABLE UNITED STATES DISTRICT COURT:

COME NOW Plaintiff U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, Plaintiff/Intervenors DHIELYA D. ROGERS and LATASHA FELDER, and Defendant DUNCAN BURCH, INC. d/b/a Michael's International and hereby move this Court to enter an Order to approve and enter the Consent Decree which is filed concurrently with this Motion and retain jurisdiction to assure compliance with the Consent Decree. In support of this Motion, the parties

would show as follows:

1. The Plaintiff and Plaintiff/Intervenors have agreed to resolve all claims against Defendants in this action. See Dkt. #15 (ADR Memorandum to Clerk of Court). Upon being advised of the settlement, the Court entered an Order of Dismissal as to all parties and claims. Dkt. #16. In accordance with the Settlement Agreement, the parties request that this Court approve and enter the Consent Decree attached hereto as Exhibit 1 and retain jurisdiction for the limited purposes of assuring compliance with that Decree.

2. The Consent Decree, if entered by the Court, will resolve to the satisfaction of the parties all the issues raised in the EEOC's Complaint, and dismisses all claims against all Defendants, save and except for the relief and duties set forth in and imposed by the Consent Decree against Defendant Duncan Burch, Inc. for which the Court will retain jurisdiction to enforce. The parties therefore request the Court to approve the Consent Decree.

WHEREFORE, Plaintiff EEOC, Plaintiff/Intervenors and Defendant Duncan Burch, Inc. respectfully request that the Court sign and enter the Consent Decree which is filed with this Motion.

Dated: January 27, 2012

Respectfully submitted,

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OF COUNSEL

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Agreed Motion to Enter Consent Decree was filed on January 30, 2012, and through the Court's ECF system should be served on the following:

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_____/s/_____
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